

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

AUSTIN HAMBLIN and KISKA HAMBLIN)	
)	
v.)	NO. 7:25-CV-00245
)	
MARTIN COUNTY SHERIFF'S)	
DEPARTMENT;)	
)	
BRAD INGRAM, IN HIS INDIVIDUAL)	
AND OFFICIAL CAPACITY;)	
)	
ANDERS DAHL, IN HIS INDIVIDUAL)	
AND OFFICIAL CAPACITY;)	
)	
KELSEY BROWN, IN HIS INDIVIDUAL)	
AND OFFICIAL CAPACITY;)	
)	
RORY GAMMONS, IN HIS INDIVIDUAL)	
AND OFFICIAL CAPACITY;)	
)	
WESTON PHELPS, IN HIS INDIVIDUAL)	
AND OFFICIAL CAPACITY; and)	
)	
BRIAN SNELLGROVE)	

DEFENDANT BRIAN SNELLGROVES'S ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF THIS COURT:

COMES NOW, Defendant Brian Snellgrove, (hereinafter referred to as Defendant), by and through his counsel Robert J. Perez, and respectfully files this Original Answer. For cause, Defendant would respectfully show this Honorable Court as follows:

1. With regard to the allegations in paragraph 1, Defendant denies this allegation.

2. With regard to the allegation in paragraph 2, Defendant has no reason to deny this allegation.
3. With regard to the allegation in paragraph 3, Defendant denies that he committed any acts and has no reason to deny the court has personal jurisdiction over this matter.
4. With regard to the allegation in paragraph 4, Defendant has not reason to deny that venue is not proper before this court.
5. With regard to the allegation in paragraph 5, Defendant has no reason to deny this allegation.
6. With regard to the allegation in paragraph 6, Defendant has no reason to deny this allegation.
7. With regard to the allegation in paragraph 7, Defendant has no reason to deny this allegation.
8. With regard to the allegation in paragraph 8, Defendant has no reason to deny this allegation.
9. With regard to the allegation in paragraph 9, Defendant has no reason to deny this allegation.
10. With regard to the allegation in paragraph 10, Defendant has no reason to deny this allegation.
11. With regard to the allegation in paragraph 11, Defendant has no reason to deny this allegation.

12. With regard to the allegation in paragraph 12, Defendant admits to the allegation.
13. With regard to the allegation in paragraph 13, Defendant admits to the allegation.
14. With regard to the allegation in paragraph 14, Defendant admits that Plaintiff Austin Hamblin was stealing tools and equipment from the business.
15. With regard to the allegation in paragraph 15, Defendant cannot admit or deny the allegation as alleged in this paragraph. Defendant has proof that Plaintiff was stealing from the company.
16. With regard to the allegation in paragraph 16, Defendant denies that he was a participant in the execution of the search warrant.
17. With regard to the allegation in paragraph 17, Defendant denies this allegation.
18. With regard to the allegation in paragraph 18, Defendant denies this allegation.
19. With regard to the allegation in paragraph 19, Defendant cannot admit or deny the allegation.
20. With regard to the allegation in paragraph 20, Defendant cannot admit or deny the allegation.
21. With regard to the allegation in paragraph 21, Defendant cannot admit or deny the allegation.
22. With regard to the allegation in paragraph 22, Defendant denies the allegation.
23. With regard to the allegations in paragraph 23, Defendant admits the allegation.
24. With regard to the allegations in paragraph 24, Defendant denies the allegation.

25. With regard to the allegations in paragraph 25, Defendant denies the allegation.
26. With regard to the allegation in paragraph 26, Defendant denies the allegation.
27. With regard to the allegation in paragraph 27, Defendant cannot admit or deny the allegation.
28. With regard to the allegation in paragraph 28, Defendant cannot admit or deny the allegation.
29. With regard to the allegation in paragraph 29, Defendant cannot admit or deny the allegation.
30. With regard to the allegation in paragraph 30, Defendant denies the allegation.
31. With regard to the allegation in paragraph 31, Defendant denies the allegation.
32. With regard to the allegation in paragraph 32, Defendant denies the allegation.
33. With regard to the allegation in paragraph 33, Defendant denies the allegation.
34. With regard to the allegation in paragraph 34, Defendant denies the allegation.
35. With regard to the allegation in paragraph 35, Defendant cannot admit or deny the allegation.
36. With regard to the allegation in paragraph 36, Defendant denies the allegation.
37. With regard to the allegation in paragraph 37, Defendant denies the allegation.
38. With regard to the allegation in paragraph 38, Defendant cannot admit or deny the allegation.
39. With regard to the allegation in paragraph 39, Defendant cannot admit or deny the

allegation as written.

40. With regard to the allegation in paragraph 40, Defendant denies the allegation.

41. With regard to the allegation in paragraph 41, Defendant denies the allegation because he was the lawful owner of the tools and equipment Plaintiff wrongfully converted.

42. With regard to the allegation in paragraph 42, Defendant denies the allegation.

43. With regard to the allegation in paragraph 43, Defendant denies the allegation.

44. With regard to the allegation in paragraph 44, Defendant denies the allegation.

45. With regard to the allegation in paragraph 45, Defendant denies the allegation.

46. With regard to the allegation in paragraph 46, Defendant denies the allegation.

47. With regard to the allegation in paragraph 47, Defendant denies the allegation.

48. With regard to the allegation in paragraph 48, Defendant denies the allegation.

49. With regard to the allegation in paragraph 49, Defendant cannot admit or deny the allegation as written.

50. With regard to the allegations in paragraph 50, Defendant denies the allegations.

51. With regard to the allegations in paragraph 51, Defendant denies the allegations.

52. With regard to the allegations in paragraph 52, Defendant denies the allegations.

53. With regard to the allegations in paragraph 53, Defendant denies the allegations.

54. With regard to the allegations in paragraph 54, Defendant denies the allegations.

55. With regard to the allegations in paragraph 55, Defendant cannot admit or deny the allegations.

56. With regard to the allegations in paragraph 56, Defendant denies the allegations.
57. With regard to the allegations in paragraph 57, Defendant cannot admit or deny allegations as written.
58. With regard to the allegations in paragraph 58, Defendant denies the allegations.
59. With regard to the allegations in paragraph 59, Defendant denies the allegations.
60. With regard to the allegations in paragraph 60, Defendant denies the allegations.
61. With regard to the allegations in paragraph 61, Defendant denies the allegations.
62. With regard to the allegations in paragraph 62, Defendant denies the allegations.
63. With regard to the allegations in paragraph 63, Defendant denies the allegations.
64. With regard to the allegations in paragraph 64, Defendant denies the allegations.
65. With regard to the allegations in paragraph 65, Defendant denies the allegations.
66. With regard to the allegations in paragraph 66, Defendant denies the allegations.
67. With regard to the allegations in paragraph 67, Defendant denies the allegations.
68. With regard to the allegations in paragraph 68, Defendant cannot admit or deny the allegation as written.
69. With regard to the allegations in paragraph 69, Defendant denies the allegations.
70. With regard to the allegations in paragraph 70, Defendant denies the allegations.
71. With regard to the allegations in paragraph 71, Defendant denies the allegations.
72. With regard to the allegations in paragraph 72, Defendant denies the allegations.
73. With regard to the allegations in paragraph 73, Defendant denies the allegations.

74. With regard to the allegations in paragraph 74, Defendant denies the allegations.

75. With regard to the allegations in paragraph 75, Defendant denies the allegations.

76. With regard to the allegations in paragraph 76, Defendant denies the allegations.

77. With regard to the allegations in paragraph 77, Defendant cannot admit or deny the allegation as written.

78. With regard to the allegations in paragraph 78, Defendant cannot admit or deny.

79. With regard to the allegations in paragraph 79, Defendant cannot admit or deny.

80. With regard to the allegations in paragraph 80, Defendant cannot admit or deny.

81. With regard to the allegations in paragraph 81, Defendant denies the allegation.

82. With regard to the allegations in paragraph 82, Defendant denies the allegation.

83. With regard to the allegations in paragraph 83, Defendant denies the allegation.

84. With regard to the allegations in paragraph 84, Defendant denies the allegation.

85. With regard to the allegations in paragraph 85, Defendant denies the allegation.

86. With regard to the allegations in paragraph 86, Defendant denies the allegation.

87. With regard to the allegations in paragraph 87, Defendant denies the allegation.

88. With regard to the allegation in paragraph 88, Defendant cannot admit or deny the allegation.

89. With regard to the allegation in paragraph 89, Defendant cannot admit or deny the allegation as written.

90. With regard to the allegation in paragraph 90, Defendant denies the allegation.

91. With regard to the allegation in paragraph 91, Defendant denies the allegation.
92. With regard to the allegation in paragraph 92, Defendant denies the allegation.
93. With regard to the allegation in paragraph 93, Defendant denies the allegation.
94. With regard to the allegation in paragraph 94, Defendant denies the allegation.
95. With regard to the allegation in paragraph 95, Defendant denies the allegation.
96. With regard to the allegation in paragraph 96, Defendant denies the allegation.
97. With regard to the allegation in paragraph 97, Defendant denies the allegation.
98. With regard to the allegation in paragraph 98, Defendant denies the allegation.
99. With regard to the allegation in paragraph 99, Defendant denies the allegation.
100. With regard to the allegation in paragraph 100, Defendant denies the allegation.
101. With regard to the allegation in paragraph 101, Defendant cannot admit or deny the allegation as written.
102. With regard to the allegations in paragraph 102, Defendant denies the allegations.
103. With regard to the allegations in paragraph 103, Defendant denies the allegations.
104. With regard to the allegations in paragraph 104, Defendant denies the allegations.
105. With regard to the allegations in paragraph 105, Defendant denies the allegations.
106. With regard to the allegations in paragraph 106, Defendant denies the allegations.
107. With regard to the allegations in paragraph 107, Defendant denies the allegations.
108. With regard to the allegations in paragraph 108, Defendant denies the allegations.
109. With regard to the allegations in paragraph 109, Defendant denies the allegations.

110. With regard to the allegations in paragraph 110, Defendant denies the allegations.

111. With regard to the allegations in paragraph 111, Defendant denies the allegations.

112. With regard to the allegations in paragraph 112, Defendant denies the allegations.

113. With regard to the allegations in paragraph 113, Defendant denies the allegations.

114. With regard to the allegations in paragraph 114, Defendant denies the allegations.

115. With regard to the allegations in paragraph 115, Defendant cannot admit or deny the allegations as written.

116. With regard to the allegations in paragraph 116, Defendant denies the allegations.

117. With regard to the allegations in paragraph 117, Defendant denies the allegations.

118. With regard to the allegations in paragraph 118, Defendant denies the allegations.

119. With regard to the allegations in paragraph 119, Defendant denies the allegations.

120. With regard to the allegations in paragraph 120, Defendant denies the allegations.

121. With regard to the allegations in paragraph 121, Defendant denies the allegations.

122. With regard to the allegations in paragraph 122, Defendant denies the allegations.

123. With regard to the allegations in paragraph 123, Defendant denies the allegations.

124. With regard to the allegations in paragraph 124, Defendant cannot admit or deny the allegations as written.

125. With regard to the allegations in paragraph 125, Defendant denies the allegations.

126. With regard to the allegations in paragraph 126, Defendant denies the allegations.

127. With regard to the allegations in paragraph 127, Defendant denies the allegations.

128. With regard to the allegations in paragraph 128, Defendant denies the allegations.

129. With regard to the allegations in paragraph 129, Defendant denies the allegations.

130. With regard to the allegations in paragraph 130, Defendant denies the allegations.

131. With regard to the allegations in paragraph 131, Defendant denies the allegations.

132. With regard to the allegations in paragraph 132, Defendant denies the allegations.

133. With regard to the allegations in paragraph 133, Defendant denies the allegations.

134. With regard to paragraph 134, Plaintiff cannot admit or deny.

135-145. With regard to paragraphs 134-135, Defendant asserts that Plaintiff is not entitled to any relief, either at law or under principles of equity.

Defendant's Rule 12(b) Assertions

147. Defendant agrees that this matter should be set for a jury trial.

148. Defendant asserts that principles of equitable estoppel preclude Plaintiff from any recovery in this case in that Plaintiff has unclean hands in this matter.

Defendant's Counterclaims

Civil Conspiracy

149. Plaintiff was an employee of Defendant. While working with Defendant, Plaintiffs conspired with each other and with others to be determined in the discovery process to steal merchandise from the Defendant's Snap-on Franchise and to sell the stolen merchandise out of his home.

150. Plaintiffs, and others not yet fully known, engaged in a civil conspiracy to commit the

torts of conversion and theft of property.

151. In furtherance of the civil conspiracy, Plaintiff committed numerous overt acts, including but limited to stealing property from Defendant's Snap-On Franchise; producing false receipts for the stolen Snap-on merchandise he had in his home; selling stolen merchandise to Defendant's customers and others not known at this time; lying and producing false information to his attorneys, and by operating an illegal operation out of his home.

152. Defendant has been damaged in amount over \$300,000.00 dollars for the stolen merchandise and the damage to Defendant's reputation. Defendant is entitled to recover this sum from Plaintiff, and to recover any attorney's fees he has had to pay. Defendant is also entitled to punitive damages.

Conversion

153. Defendant incorporates the allegations made in paragraphs 149-152 as though fully written here.

154. Plaintiff took over \$300,000.00 of Snap-On Property that belonged to Defendant's Snap-On Franchise. Plaintiff wrongfully and without any authority took the property and equipment that belonged to Defendant, stored the property at his home, and illegally sold the property that did not belong to him.

155. Defendant has been damaged in an amount over \$300,000.00 dollars for the stolen merchandise and the damage to Defendant's reputation. Defendant is entitled to recover this

sum from Plaintiff, is entitled to punitive damages, and to recover any attorney's fees he has had to pay.

Request for Relief

WHEREFORE, PREMISES CONSIDERED, Defendant prays that Plaintiffs take nothing by their claims and causes of action, and to such other and further relief to which Defendant should be entitled to at law or in equity. Defendant should be awarded attorney's fees and for any costs associated with the defense of this case. Defendant reserves the right to amend his pleadings after the completion of discovery.

Respectfully submitted,

ROBERT J. PEREZ
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El Paso, Texas 79901
Tel No: 915-542-1222
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By: _____ /s/
ROBERT J. PEREZ

CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Original Answer was electronically filed with the Clerk of the Court using the CM/ECF System and was delivered to the Mueller Law Firm via the CM/ECF System.

 /s/
ROBERT J. PEREZ